IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

RPFC.No. 5 of 2002()

CMP NOS.667/2000 AND 668/2000 IN MC.203/1996 OF FAMILY COURT, KOLLAM

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REVISION PETITIONER/COUNTER PETITIONER:

RAJU, S/O. KUMARAN, RAJU BHAVANAM,
CHITTOOR MURI, PANMANA VILLAGE,
KARUNAGAPPALLY TALUK.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS: ORIGINAL PETITIONERS:

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1. SARASWATHY, D/O. JANNAMMA,
ORAZHATH VEEDU, KANNANKULANGARA MURI,
PANMANA VILLAGE, KARUNAGAPPALLY.

2. SAJEEV (MINOR) DO. DO.

BY ADV. SRI.P.B.SURESH KUMAR
PUBLIC PROSECUTOR, SRI C.K.SURESH

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.MP NOS.218/2002 AND 926/2002 IN RP(FC) NO.5/2002

CLOSED

SD/-K.R.UDAYABHANU, JUDGE

07/09/2007

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K.R.UDAYABHANU, J.

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R.P (F.C) No.5 of 2002-A

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Dated this the 7th day of September, 2007

O R D E R

The revision petitioner, the respondent in M.C.No.203/1996 with respect to the proceedings initiated under Section 125 Cr.P.C, has sought for setting aside the ex-parte order of the family court in CMP Nos.667/2000 and 668/2000, and to condone the delay of 639 days. The first and second petitioners in M.C No.203/1996 is the wife and minor child of the revision petitioner herein. It is seen that the court below has ordered maintenance of Rs.400/- to the first petitioner and Rs.200/- to the second petitioner in the MC. The court below has considered the matter in detail and found that there is no bona fides in seeking to condone the delay of two years. The delay sought to be condoned is really inordinate. The reason mentioned that he was unaware of the restoration appears incredible. I find that the amount ordered is only quite reasonable, if not, on the lower side. In the circumstances, I find no reason to disturb the order of the court below. The revision petition is dismissed.

K.R.UDAYABHANU,
Judge

ms

K.R.UDAYABHANU, J.

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R.P (F.C) No.5 of 2002-A

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O R D E R

7th September, 2007